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REGULATIONS OF THE DORCHESTER ASSOCIATION FOR THE DETECTION AND PROSECUTION OF TRESPASSERS ON GARDENS, FIELDS AND ORCHARDS

REGULATIONS

OF THE

DORCHESTER ASSOCIATION

FOR THE

DETECTION AND PROSECUTION

OF

TRESPASSERS ON GARDENS, FIELDS,

AND ORCHARDS,

IN THE TOWN OF DORCHESTER AND VICINITY.

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Jan. 14, 1904

DORCHESTER ASSOCIATION

TO PREVENT

TRESPASSES IN GARDENS, FIELDS, &c.

IN DORCHESTER AND VICINITY.

At a meeting of a respectable number of the inhabitants of Dorchester, convened for the purpose of organizing a Society, for the Protection of Fields, Gardens, and Orchards in said town, after having elected

Joshua Gardner, Esq., *President*,
Samuel Downer, *Vice do*
Nath'l Clap, *Treasurer and Sec'ry*,
William Wales,
Thomas Parker,
Thomas M. Mosely,
Rufus Howe, } *Directors*

the following Preamble and Code of Regulations were unanimously adopted, viz—

We the subscribers, having formed our-

selves into a Society for the Protection of Fields, Gardens, and Orchards in the town of Dorchester, do hereby promise to each other mutual aid and facility towards detecting and bringing to punishment, all offenders against the laws made for the protection of this species of property, belonging to the subscribers; and in order more effectually to give efficiency to the objects of this association, we agree to adopt for our government the following Regulations.—

ART. I.

The Society shall be denominated THE DORCHESTER PREVENTIVE SOCIETY for the Detection and Prosecution of Trespassers on Gardens, Fields, and Orchards in the town of Dorchester and its immediate vicinity.

ART. II.

The officers of the Society shall consist of a President, a Vice President, Secretary and Treasurer, and a board of four Directors, to be chosen annually, at their June meeting.

ART. III.

The President, Vice President, Secretary and Treasurer, shall be Directors ex officio.

ART. IV.

There shall be a meeting of the Society on the second Wednesday of June and October; and at such other times as the Board of Directors shall order.

ART. V.

It shall be the duty of the President to preside at all meetings of the Society, or Directors; and in his absence, the duty shall devolve on the Vice President; and in his absence, the senior member of the Board of Directors, who shall be President, pro tempore.

ART. VI.

It shall be the duty of the Secretary to keep the Records of the Society and Board of Directors, and to notify all meetings of the Society and Board of Directors, and in general to perform all the duties of such an officer. He shall receive for his services such reasonable compensation as the Board of Directors shall order.

ART. VII.

The Treasurer shall have the care of the funds of the Society, and be responsible for their safe keeping. He shall invest them in some public institution, or in good private security, if it shall be deemed expedient by the Board of Directors, or a majority of them, and make a report at each of the stated meetings of the Society, of his doings, and of the state of the funds.

ART. VIII.

The Board of Directors shall institute process for all violations of the laws made on the premises, that shall come to their knowledge by information of members of the Society; they shall have power to give suitable rewards for the detection of trespassers, and to employ such agents as may be deemed by them proper, for this purpose. They may at their discretion make public the names of all convicted offenders against the laws made for the protection of Gardens, &c., by posting them at some public place, or places, in the town of Dorchester.

ART. IX.

The Directors shall have the entire direction of all expenditures, and in general perform all such offices as shall best promote the object of the Society.

ART. X.

Any person may become a member of the Society, upon being approved by a majority of the Board of Directors, by subscribing to these articles, and by paying to the Treasurer not less than one dollar.

ART. XI.

The Society shall have power to lay such assessments at their stated meetings in June and October, as a majority may determine, not exceeding one dollar a year on each member.

ART. XII.

Any member may be discharged from this Society on application to the Treasurer, after paying all his dues to the Society, and relinquishing his right to any part of its funds.

ART. XIII.

Any person not wishing to become a member of the Society, but is willing to

contribute to its funds, may be entitled to all its privileges, upon paying to the Treasurer a sum not less than five dollars.

ART. XIV.

Amendments to these Articles may be made at either of the stated meetings, by a majority of all the members present.

L A W.

An Act in addition to an Act, entitled "An Act for the more effectually preventing of trespasses in divers cases."

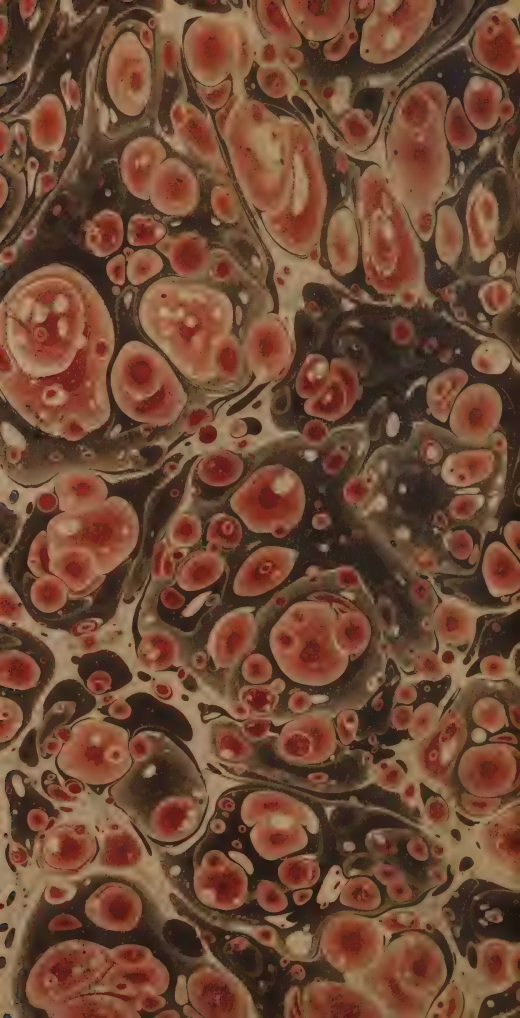
SECTION 1. *Be it enacted, by the Senate and House of Representatives, in General Court assembled, and by the authority of the same*, That, from and after the passing of this act, if any person shall enter upon any grass land, orchard, or garden, without permission of the owner thereof, with intent to cut, destroy, take, or convey away, any grass, hay, FRUIT, or vegetables, with the intent to injure or defraud such owner; each person so offending, shall pay, for every such offence, a sum not less than two dollars, nor more than ten dollars, to the use of the Commonwealth, to be recovered on complaint before any Justice of the Peace of the County in which the offence shall be committed; and the person so offending shall also be liable in damages to the party injured.

SECT. 2. *Be it further enacted*, That, from and after the passing of this act, if any person, having entered upon any grass land, orchard, or garden, shall take therefrom,

without permission of the owner thereof, and with the intent to injure or defraud such owner, any grass, hay, fruit, vegetable, or shrub, cultivated thereon for ornament or use; such person so offending, shall forfeit and pay for each offence, to the use of the Commonwealth, a sum not less than five, nor more than fifty dollars, to be recovered by indictment, or information, before the Circuit Court of Common Pleas, in the county where such offence shall be committed; or the Municipal Court of the town of Boston, if such offence be committed in the county of Suffolk; and the person so offending shall be also liable to the party injured, in a sum equal to three times the value of such grass, hay, fruit, vegetable, or shrub, to be recovered by action of the case in any Court of competent jurisdiction.

Sect. 3. *Be it further enacted*, That, any person who, having entered upon any grass land, field, or orchard, shall, without permission of the owner thereof, and with the intent to injure him, break, bruise, cut, mutilate, injure, or destroy, any fruit tree, tree for ornament or shade, or shrub, cultivated thereon for ornament or use, and which shall be standing or growing thereon, such person so offending, shall forfeit and pay to the use of the Commonwealth, a sum not less than ten dollars, nor more than one hundred dollars, to be recovered by indict-

ment or information, in manner as is provided in the second section of this act.

Sect. 4. *Be it further enacted*, That, if any person shall commit any of the trespasses mentioned in this act, on the *Lord's Day*, or in the *night time*, that is to say, between sun-setting and sun-rising, he shall be liable to double the penalties and forfeitures, the same to be prosecuted for and recovered, in manner as before provided; and all prosecutions for breaches of this act, shall be commenced within one year from the time the offences shall be committed, or the penalties and forfeitures shall have accrued, and not afterwards.

Approved by the Governor, June 12, 1828.